

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TROY HOLIFIELD,)	
)	
Petitioner,)	
)	
v.)	No. 4:06CV1460 (MLM)
)	
TROY STEELE,)	
)	
Respondent.)	

ORDER

This matter is before the Court *sua sponte*.

In its prior Order [Doc. #4], the Court noted that, on its face, the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 appeared to be time barred. Before dismissing the action, however, the Court gave petitioner an opportunity to explain why he was unable to file his § 2254 petition within the applicable time limit. Specifically, petitioner was directed to file a statement of the reasons he was unable to timely file his § 2254 within thirty days of the date of the prior order. Petitioner was warned that if he failed to file his statement within the time allowed, then his § 2254 action would be dismissed. More than thirty days have passed and petitioner has still not complied with the Court's prior order.

In accordance with the foregoing,

IT IS HEREBY ORDERED that petitioner's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is **DISMISSED**, without prejudice. See Fed. R. Civ. P. 41(b).

Dated this 11th day of June, 2007.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE